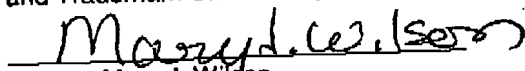


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APR 12 2007

Nixon & Vanderhye PC.
ATTORNEYS AT LAW11TH FLOOR
901 NORTH GLEBE ROAD
ARLINGTON, VIRGINIA 22203-1808TELEPHONE: (703) 816-4000
FACSIMILE: (703) 816-4100
WRITER'S DIRECT DIAL NUMBER:
(703) 816-4011**FACSIMILE COVER SHEET**
PLEASE DELIVER IMMEDIATELY!!!!Atty Dkt.: 620-298
Your Ref.: _____ Date: April 12, 2007To: Examiner Ibrahim, M.A. - TC/AU: 1638
Firm: USPTO
Facsimile No.: (571) 273-8300
From: Mary J. WilsonNumber of Pages (including cover sheet): 4
(IF YOU DO NOT RECEIVE ALL OF THE PAGES OR ENCOUNTER DIFFICULTIES IN TRANSMISSION,
PLEASE CONTACT US IMMEDIATELY AT (703-816-4000).Tabitha A. Trice
FACSIMILE OPERATOR**CERTIFICATION OF FACSIMILE TRANSMISSION**I hereby certify that this paper and any noted attachments are being transmitted by facsimile to the Patent
and Trademark Office on April 12, 2007.
Mary J. Wilson**ATTACHMENT/S: RESPONSE TO NOTICE OF NON-COMPLIANT
AMENDMENT****MESSAGE:**

In re Patent Application of:

HARBERD et al
Serial No. 10/809,945
Filed: March 26, 2004
For: GENETIC CONTROL OF PLANT GROWTH AND DEVELOPMENT**CONFIDENTIALITY NOTE**The documents accompanying this facsimile transmission contain information belonging to Nixon & Vanderhye, which is confidential and/or legally
privileged. This information is only intended for the use of the individual or entity named above. IF YOU ARE NOT THE NAMED RECIPIENT, YOU
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty MJW-620-298
Dkt.

C# M#

HARBERD et al

TC/A.U. 1638

Serial No. 10/809,945

Examiner: Ibrahim, M.A.

Filed: March 26, 2004

Date: April 12, 2007

Title: GENETIC CONTROL OF PLANT GROWTH AND DEVELOPMENT

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APR 12 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment	0	minus highest number	
previously paid for	20	(at least 20) =	0 x \$50.00
			\$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment	0	minus highest number	
previously paid for	3	(at least 3) =	0 x \$200.00
			\$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1203)/\$180.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension	\$120.00 (1251)/\$60.00 (2251)
Two Month Extensions	\$450.00 (1252)/\$225.00 (2252)
Three Month Extensions	\$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions	\$1590.00 (1254)/\$795.00 (2254)
Five Month Extensions	\$2160.00 (1255)/\$1080.00 (2255) \$
	\$130.00 (1814)/ \$65.00 (2814) \$

Terminal disclaimer enclosed, add

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee

\$180.00 (1806) \$ 0.00

Assignment Recording Fee

\$40.00 (8021) \$ 0.00

Other:

\$ 0.00

TOTAL FEE \$ 0.00☐ **CREDIT CARD PAYMENT FORM ATTACHED.**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
MJW:tatNIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955Signature: Mary J. Wilson

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APR 12 2007**

In re Patent Application of

HARBERD et al

Atty. Ref.: 620-298; Confirmation No. 6433

Appl. No. 10/809,945

TC/A.U. 1638

Filed: March 26, 2004

Examiner: Ibrahim, M.A.

For: GENETIC CONTROL OF PLANT GROWTH AND DEVELOPMENT

* * * * *

April 12, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

This is in response to the Notice of Non-Compliant Amendment dated March 12, 2007, in the above. In the Amendment filed February 26, 2007, claim 64 was properly indicated as "Currently Amended". In that claim, a punctuation mark (i.e. a period) was added at the end of the claim.

Withdrawal of this holding of non-compliance is requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: Mary J. Wilson
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